

FENWICK & WEST LLP

555 CALIFORNIA STREET, 12TH FLOOR SAN FRANCISCO, CA 94104
TEL 415.875.2300 FAX 415.281.1350 WWW.FENWICK.COM

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: MAR 24 2008

March 19, 2008

BRIAN W. CARVER

EMAIL BCARVER@FENWICK.COM
DIRECT DIAL (415) 875-2420

BY ELECTRONIC MAIL

Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street
Chambers 735
Courtroom 20-C
New York, NY 10007

**Re: *Corbis Corp. v. commVerge Marketing LLC* – 07 Civ. 11391 (PAC) –
Joint Letter Requesting Continuance of Pretrial Conference and Referral
Deadline**

Dear Judge Crotty:

The parties in the above-captioned matter, Plaintiff Corbis Corporation (“Corbis”) and Defendant commVerge Marketing LLC (“commVerge”), write this joint letter to request a brief continuance of both the Pretrial Conference set for March 24, 2008 at 4:15 p.m. and of the Settlement Conference Referral Deadline.

At the Initial Pretrial Conference (“IPTC”) held on February 7, 2008, Defendant commVerge indicated its intent to subpoena a third-party web hosting provider. That subpoena was issued and the parties expect to receive documents pursuant to it later this week.

The parties have also continued their informal settlement discussions and believe that review of the documents provided by the web host and further discussions are likely to allow the parties to reach a settlement agreement.

In the IPTC Order, your Honor referred the case to Judge Freeman for a settlement conference. The parties are presently on her calendar for a March 28, 2008 settlement conference, as—when scheduled—this was the best time that accommodated Judge Freeman’s, Plaintiff’s, Defendant’s, Counsel’s, and Defendant’s Insurer’s schedules. However, this date currently falls after the scheduled Pretrial Conference on March 24, 2008 at 4:15 p.m.

Additionally, the parties currently believe that their informal discussions are likely to resolve their dispute without the need for a settlement conference before Judge Freeman, although the parties do not believe they could complete their independent discussions before March 28, 2008.

MEMO ENDORSED

MEMO ENDORSED

Honorable Paul A. Crotty
 March 19, 2008
 Page 2

Consequently, the parties jointly propose a brief continuance of the presently-calendared dates as follows:

Event	Current Schedule	Proposed Schedule ¹
Pretrial Conference	March 24, 2008 4:15 p.m.	April 28, 2008 4:15 p.m. Or May 5, 2008 4:15 p.m. Or May 12, 2008 4:15 p.m.
Settlement Conference before Judge Freeman	Due within 45 days of February 7, 2008. Scheduled for March 28, 2008.	No later than April 25, 2008 Or no later than May 2, 2008 Or no later than May 9, 2008

The parties have not previously requested any adjournment or extension of time and the requested extension affects only the scheduled dates discussed above.

If your Honor prefers to maintain the March 24, 2008 Pretrial Conference date, then Corbis requests permission to appear telephonically for that conference.

Sincerely,

FENWICK & WEST LLP




Brian W. Carver

cc: Kate Fritz
 Laurence Pulgram
 Patrick Carroll

23819/00414/LIT/1282225.1

And
 Applications GRANTED. The conference is adjourned to
4/28/08 at 2:30 pm in Courtroom 20-C

SO ORDERED: 3/24/08

 HON. PAUL A. CROTTY
 UNITED STATES DISTRICT JUDGE

¹ Pursuant to your Honor's Individual Practices ¶ E(5), the parties jointly propose three alternate conference dates.